AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern _____   District of _____   New York

Medtech

V.

Ranir, LLC et al.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 07 CV 3302 (KMK) (LMS)

TO: (Name and address of Defendant)

Kelly M. Kaplan   C.D.S. Associates
4 Woodmont Road   2441 East Rockledge Road
Upper Montclair, NJ 07043   Phoenix, AZ 85048-4308
                    Ray Duane
                    7741 Broadwing Dr.
                    North Las Vegas, NV 89084-2432

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Karl Geercken, Esq.
Amy Manning, Esq.
Alston & Bird LLP
90 Park Avenue
New York, NY 10016

an answer to the complaint which is served on you with this summons, within _____ 20 _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON   OCT 0 4 2007

CLERK _____   DATE

(By) DEPUTY CLERK

Our File # 07-10-0649

Date Received: October 8, 2007
Client File # 128132

United States District Court COURT OF THE STATE OF New York
COUNTY OF -- Select One --

Index #   07-cv-3302 (KMK)(LMS)

MedTech Products Inc.	*Plaintiff*	*AFFIDAVIT OF*
		SERVICE
against		
DenTek Oral Care, Inc. et. al.	*Defendant*	

STATE OF NEVADA, COUNTY OF Clark ss: HAROLD HYMAN The undersigned, being duly sworn, deposes and says;
Deponent is not a party herein, is over 18 years of age and resides in the **STATE OF NEVADA**
That on **OCTOBER 9, 2007** at **06:20 AM**, at **7741 Broadwing Drive Las Vegas Nevada 89084**
Deponent served the within

United States District Court: Summons in a Civil Action and Complaint Individual Practices of Kenneth M. Karas; Individual P
Judge Lisa Margaret Smith

☐ Papers served had endorsed thereon index # and date of filing

On **Ray Duane**

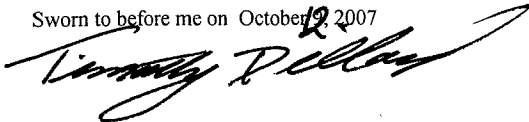|	
Individual ☒	by delivering a true copy *of each* to said defendant personally, deponent knew the person so served to be the person described as said defendant therein.
Corporation ☐	☐ Religious Entity ☐ Government Entity ☐ Law Office ☐ Medical Facility ☐ Partnership ☐ Other by delivering thereat a true copy of each to . Said individual stated she/he is a managing/authorized agent of the corporation, thereof, authorized to accept legal process.
Suitable **Age Person** ☐	by delivering thereat a true copy *of each to* a person of suitable age and discretion. Said premises is recipient's within the state. Person spoken to verified that defendant actually resides/is employed at these premises.
Affixing **To Door** ☐	by affixing a true copy of each to the door of said premises, which is recipient's ---within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there: Address Confirmed by
Mailing ☐	On deponent enclosed a copy of same in first class envelope properly addressed to recipient's last known at: The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant. The envelope was placed in an official depository under the exclusive care and custody of the U.S. Postal Service.
Description ☒	Gender **Male** Color of skin **White** Color of Hair **Brown** Facial Hair **No** Glasses **No** Approximate age **50's** Approximate height **6'0"** Approximate weight **175** Other identifying features:
Fees ☐	At the time of said service, deponent paid (tendered) in advance $0.00 the authorized traveling expenses and one day's witness fee.
Military ☐	Defendant in the above entitled action. In response to my questions said person told me that the Defendant was not in the military service or financially dependant upon anyone who is in the military service of the United States of America or of the State of New York in any capacity. From the facts above set forth, I am convinced that the said Defendant is not in the military service at the present time.

Sworn to before me on October 12, 2007

_____   _____

                                                                             HAROLD HYMAN 657-A

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
TIMOTHY DILLARD
Appt. No. 99-57559-1
My Appt. Expires Aug. 22, 2011